

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Edward P. Ingenito  
Serial No.: 10/069,307  
Confirmation No.: 1962  
Filed: 09/26/2002  
For: TISSUE VOLUME REDUCTION  
Examiner: Williams, Catherine Serke  
Art Unit: 3763

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

Applicant submits herewith copies of non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

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Applicants also call to the attention of the Examiner the following co-pending patent applications and Office Actions cited therein. Copies of the Office Actions are enclosed.

| Office Actions (copies enclosed) |                         |
|----------------------------------|-------------------------|
| Serial No.                       | Date Mailed from<br>PTO |
| 09/379,460                       | 9/27/00                 |
| 09/379,460                       | 8/10/01                 |
| 09/379,460                       | 7/18/02                 |
| 09/379,460                       | 3/12/03                 |
| 09/839,253                       | 4/1/02                  |
| 09/839,253                       | 12/3/02                 |
| 09/839,253                       | 11/26/03                |
| 10/649,232                       | 7/23/04                 |
| 10/649,232                       | 1/25/06                 |
| 10/649,232                       | 2/28/07                 |
| 11/009,379                       | 11/2/06                 |
| 11/009,379                       | 5/4/06                  |
| 09/658,338                       | 5/29/02                 |

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| Amendments (copies enclosed) |                       |
|------------------------------|-----------------------|
| Serial No.                   | Date Mailed to<br>PTO |
| 09/379,460                   | 11/13/01              |
| 09/379,460                   | 12/18/02              |
| 09/379,460                   | 3/13/03               |
| 09/379,460                   | 1/27/01               |
| 09/839,253                   | 9/3/02                |
| 09/839,253                   | 3/3/03                |
| 10/649,232                   | 12/22/03              |
| 10/649,232                   | 1/24/05               |
| 10/649,232                   | 7/25/06               |
| 10/649,232                   | 8/28/07               |
| 11/009,379                   | 5/2/07                |

| Notice of Allowance (copies enclosed) |                       |
|---------------------------------------|-----------------------|
| Serial No.                            | Date Mailed to<br>PTO |
| 09/839,253                            | 3/25/2003             |
| 11/009,379                            | 6/29/07               |
| 09/379,460                            | 3/19/03               |
| Notice of Abandonment (copy enclosed) |                       |
| Serial No.                            | Date Mailed to<br>PTO |
| 09/658,338                            | 1/16/03               |

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

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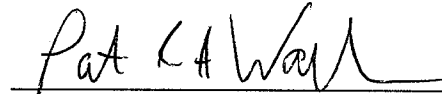
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The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No.C1039.70074US00.

Respectfully submitted,

By:



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Date: September 19, 2007  
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